

REGULAR CITY COUNCIL MEETING  
NOVEMBER 23, 1998

PRESENT

R. Dale Roper	Mayor
Wesley Bloomfield	Council Member
Gayle Bunker	Council Member
Bruce Curtis	Council Member
Robert Dekker	Council Member
Glen Swalberg	Council Member

ABSENT

Richard Waddingham	City Attorney
--------------------	---------------

ALSO PRESENT

Dorothy Jeffery	City Recorder
Neil Forster	Public Works Director
Bob Shepherd	City Resident
Jared Shepherd	Scout
Derrick Anderson	Scout

Mayor Roper called the meeting to order at 7:00 p.m. Dorothy Jeffery, City Recorder, acted as Secretary. Mayor Roper stated that notice of the meeting time, place, and agenda was posted at the principal office of the governing body, located at 76 North 200 West, and was provided to the Millard County Chronicle/Progress, KNAK Radio, and to each member of the City Council, by personal delivery, at least two days prior to the meeting.

Council Member Wesley Bloomfield offered an invocation, after which Mayor Roper led those in attendance in the Pledge of Allegiance.

MINUTES

The minutes of a Public Hearing held October 21, 1998 were presented for consideration and approval. Following discussion of two minor spelling errors, Council Member Glen Swalberg MOVED to approve the minutes of the Public Hearing held October 21, 1998, as corrected. The motion was SECONDED by Council Member Gayle Bunker. Mayor Roper asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

RCCM 11-23-98

Page 2

The minutes of a Regular City Council Meeting held October 26, 1998 were presented for consideration and approval. Council Member Wesley Bloomfield MOVED to approve the minutes of the Regular City Council Meeting held October 26, 1998, as presented. The motion was SECONDED by Council Member Gayle Bunker. Mayor Roper asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

The minutes of a Special City Council Meeting held November 4, 1998 were presented for consideration and approval. Following discussion of a grammatical error, Council Member Wesley Bloomfield MOVED to approve the minutes of the Special City Council Meeting held November 4, 1998, as corrected. The motion was SECONDED by Council Member Glen Swalberg. Mayor Roper asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

#### ACCOUNTS PAYABLE

The Council reviewed the accounts payable, a copy of which had been given to them two days prior to the meeting. Following review, Council Member Wesley Bloomfield MOVED to approve the accounts payable in the amount of \$94,053.83. The motion was SECONDED by Council Member Robert Dekker. Mayor Roper asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

#### UNFINISHED BUSINESS

There were no items of unfinished business on the agenda.

#### NEW BUSINESS

MAYOR R. DALE ROPER: AMENDMENT TO RESOLUTION NO. 98-257 REGARDING  
TRANSFER OF CABLE TELEVISION FRANCHISE FROM INSIGHT  
COMMUNICATIONS CO, L.P. TO TCI OF INDIANA, INC.

#### RESOLUTION NO. 98-258

A RESOLUTION AMENDING RESOLUTION 98-257 CONDITIONALLY  
APPROVING THE TRANSFER OF AN EXISTING CABLE TELEVISION  
FRANCHISE, "FRANCHISE," HERETOFORE GRANTED BY DELTA CITY  
ORDINANCE 90-122 AND SETTING FORTH TERMS AND CONDITIONS FOR  
APPROVING SUCH TRANSFER OF SAID FRANCHISE FROM INSIGHT  
COMMUNICATIONS COMPANY, L.P. TO TCI OF INDIANA, INC.

RCCM 11-23-98

Page 3

Mayor Roper explained that the attorneys for Insight Communications and TCI of Indiana had requested that some changes be made to Resolution 98-257, a resolution conditionally approving the transfer of the existing cable television franchise in Delta City from Insight Communications Co., L.P. to TCI of Indiana, Inc. The requested changes have been reviewed by City Attorney Richard Waddingham and include changing the timing of the conditions from "within 30 days of the date of this resolution" to "by November 30, 1998", and changing the requirement that they provide a "certificate of insurance" rather than requiring an "insurance policy".

Following discussion, Council Member Robert Dekker MOVED to adopt Resolution No. 98-258, a Resolution amending Resolution 98-257 conditionally approving the transfer of an existing cable television franchise, "Franchise," heretofore granted by Delta City Ordinance 90-122 and setting forth terms and conditions for approving such transfer of said franchise from Insight Communications Company, L.P. to TCI of Indiana, Inc. The motion was SECONDED by Council Member Glen Swalberg. Mayor Roper asked if there were any comments or questions regarding the motion. There being none, he called for a roll call vote. The voting was as follows:

Wesley Bloomfield	Yes
Gayle Bunker	Yes
Bruce Curtis	Yes
Robert Dekker	Yes
Glen Swalberg	Yes

The voting was unanimous.

MAYOR R. DALE ROPER: OUTSTANDING SERVICE AWARD FROM DELTA SOUTH ELEMENTARY SCHOOL.

Mayor Roper explained that Delta City, Delta South Elementary PTA had a joint project for resurfacing the parking lot at Delta South Elementary, and Jack B. Kelley Trucking will provide slats to be put in the chain link fence, in order to complete a Centennial Project. The students and faculty at Delta South Elementary School delivered an Outstanding Service Award to Delta City. Mayor Roper had intended to present the Outstanding Service Award to the Council at this meeting, but would like to wait for a later meeting and invite Principal Myers and one of the students to attend a Council Meeting and present the Award to Public Works Director Neil Forster.

Following discussion, Council Member Glen Swalberg MOVED to table this item until the next meeting of the City Council. The motion was SECONDED by Council Member Robert Dekker. Mayor Roper asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

RCCM 11-23-98

Page 4

OTHER BUSINESS

Mayor Roper reported that he and City Librarian Deb Greathouse met with the Community Impact Board in Salt Lake to advise them that the Library Bond issue had passed. They voted to put Delta City on the agenda for the funding meeting, which will be on December 3, 1998. Mayor Roper and Deb Greathouse will attend that meeting to learn what funds will be given to Delta City for the library expansion project.

-----

Council Member Gayle Bunker explained that he had distributed a list of potential members for appointment to the Planning & Zoning Commission. He reported that two people are needed to fill vacancies on the Planning & Zoning Commission. Council Member Bunker noted that he has not contacted any of those listed but requested suggestions from the Council for which ones he should talk with to determine whether they would be willing to serve. Council Members made suggestions and Council Member Bunker agreed to contact those mentioned to see if they would be willing to serve on the Planning & Zoning Commission.

-----

Council Member Glen Swalberg reported that a local resident has complained about dirty dog kennels in his area which are extremely odorous and requested that Delta City take action to see that the kennels are cleaned up. Mayor Roper requested that Public Works Director Neil Forster send the Animal Control Officer to the residence to assess the situation.

-----

Council Member Glen Swalberg proposed that a walkway be constructed for elderly residents of the Sands Apartments, at 100 South & 300 West, to walk to the grocery store at Main Street and 400 West. There are many near auto/pedestrian accidents on the road due to the elderly people walking down the center of the alley way. Several of the people have very poor sight and others are so feeble that they are not able to walk on the side of the roadway. Following discussion, it was determined that Mayor Roper and Public Works Director Forster will look at the area to determine what can be done to alleviate the problem.

-----

Council Member Wesley Bloomfield questioned what has been done with the Delta City Internet Page. Mayor Roper reported that he has talked with Brett Greathouse and advised him that Delta City will discontinue the contract with him effective December 30, 1998.

-----

RCCM 11-23-98

Page 5

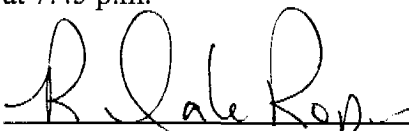
Public Works Director Neil Forster noted that Principal Mitch Myers has discussed the project between 400 South and 450 South on Center Street and the parking area located there. Principal Myers asked what would be required to have the area designated as 45 degree diagonal parking. The Council instructed Public Works Director Forster to determine whether or not there is sufficient area to provide perpendicular parking, and if not, provide for diagonal parking and paint parking spaces accordingly.

-----

Council Member Gayle Bunker mentioned that he has his float ready for Council Members, their spouses and children, to ride in the Annual Light Parade to be held on Saturday, November 28, 1998.

Mayor Roper asked if there were any other comments, questions, or other items to be discussed. There being no other business, Council Member Gayle Bunker MOVED to adjourn the meeting. The motion was SECONDED by Council Member Wesley Bloomfield. Mayor Roper asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

Mayor Roper declared the meeting adjourned at 7:45 p.m.

  
R. DALE ROPER, Mayor

  
DOROTHY JEFFERY, City Recorder

MINUTES APPROVED: RCCM 12-14-98